

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

JACK LINDSEY JORDAN, PRO SE,	§	
TDCJ-CID #1423738,	§	
Previous TDCJ-CID # 702237,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:07-CV-0152
	§	
JOEL RICHARDSON, Sheriff,	§	
NFN CHAPMAN, Lt., NFN EVANS, CO,	§	
NFN BURK, Maintenance Man,	§	
NFN HASKEE, CO,	§	
NFN UNRUH, Lt., and	§	
NFN CARROL, Sgt.,	§	
	§	
Defendants.	§	

ORDER OF DISMISSAL

Plaintiff JACK LINDSEY JORDAN, acting pro se and while a prisoner confined in the Randall County Jail¹, filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-referenced defendants and was granted permission to proceed *in forma pauperis*.

On March 16, 2009, a Report and Recommendation was issued by the United States Magistrate Judge recommending dismissal of the instant cause with prejudice as frivolous and without prejudice for failure to state a claim on which relief can be granted.

On March 26, 2009, an unsigned document titled "Objection to the Report and Recommendation" was filed in this cause. It was unfiled on April 1, 2009 because it lacked plaintiff's signature. Federal Rule of Civil Procedure 11. Plaintiff was informed of the unfiling

¹Plaintiff has since been transferred to the custody of the Texas Department of Criminal Justice, Correctional Institutions Division.

and the reason for such action. The period for objections expired March 30th. In the six weeks following the unfiling of the objections, no signed objections have been submitted by plaintiff.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

IT IS THEREFORE ORDERED that the Civil Rights Complaint by plaintiff JACK LINDSEY JORDAN is DISMISSED WITH PREJUDICE AS FRIVOLOUS AND WITHOUT PREJUDICE FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

All pending motions are DENIED.

The Clerk shall send a copy of this order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

IT IS SO ORDERED.

SIGNED AND ENTERED this 13th day of May, 2009.

/s/ Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE